

Appl. No. 10/821,362  
Amdt. Dated May 24, 2006  
Reply to Office action of February 24, 2006

### **REMARKS/ARGUMENTS**

Applicants would like to thank the Examiner for the careful consideration given the present application. Reconsideration of the application is respectfully requested in view of the remarks and amendments provided herein.

Claims 3, 4, and 22 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims have been amended herein to cure any indefiniteness. Thus, withdrawal of this rejection is respectfully requested.

Claims 1, 2, 5-7, 16 and 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application 2005/0173401 (US '401) in view of British Patent 2,252,645 (GB '647). Traversal of this rejection is made for at least the following reasons. Neither US '401 nor GB '647, alone or in combination, teach or suggest an electronic control means having a central processor operatively connected to the range-top heating means, and the first and second range-chamber heating means, for controlling the operation of the range, wherein at least one of the range-top heating means and the second range-chamber heating means includes a warming element that operates on a duty cycle, as required by claim 1. Likewise, neither US '401 nor GB '647, alone or in combination, teach or suggest a single central processor for controlling a plurality of surface elements, two heating elements provided within a first oven chamber, and a warming element provided within a second oven chamber, wherein the warming element operates on a duty cycle, as required by claim 16. In conventional ranges, separate control systems are used to operate the oven, the warmer drawer, and/or the warmer zone features. The cited references do not contradict this knowledge. As conceded by the Examiner, US '401 does not disclose a central processor for controlling all heating functions. Thus, the Examiner relies on GB '647 in an attempt to make up for the deficiencies of US '401. However, GB '647 merely discloses a central processor for controlling an oven heating element and a plurality of surface heating elements, which all operate in the same manner. Specifically, in the GB '647 patent, each of the oven heating element and the surface heating elements are controlled by determining a temperature sensed by a corresponding sensor with respect to a temperature at which a corresponding control means is set. There is nothing within either US '401 or GB '647 that discloses,

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teaches, or suggests using a single processor to operate a plurality of heating elements in which at least one of the heating elements is a warming element that operates on a duty cycle, as required by claim 1. A duty cycle controls an *amount of time* the heating element(s) is on for a given cycle, rather than whether a sensed temperature differs from a predetermined temperature, as taught by GB '647. Because neither US '401 nor GB '647 teaches or suggests each and every limitation set forth in independent claims 1 and 16, the combination of US '401 and GB '647 cannot render obvious such claims or claims 2, 5-7, and 17, which depend therefrom. Withdrawal of this rejection is respectfully requested.

Claims 3, 4, 8-15 and 18-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US '401 in view of GB '647, as applied to claims 1, 2, 5-7, 16 and 17 above, and further in view of US Patent No. 6,198,080 (US '808). Traversal of this rejection is made for at least the following reasons. Claims 3, 4, and 18-22 depend from independent claims 1 and 16, which are believed to be allowable over US '401 and GB '647 for at least the reasons discussed above. US '808 does not make up for these aforementioned deficiencies. While, US '808 discloses a surface heating element that can operate as a warming element, there is no mention in US '808 that the warming element operates on a duty cycle. Rather, the warming element of US '808 operates in a manner similar to the other surface heating elements with the exception that the warming element has only nine power levels available rather than the eleven power levels available for the other burners. Col. 5, lines 17-26. Accordingly, the combination of US '401, GB '647, and US '808 does not render obvious claims 1 or 16 or claims 3,4, and 18-22, which depend therefrom.

Regarding claims 18 and 23, neither US '401, GB '647, nor US '808, alone or in combination teaches or suggests means for operatively connecting a centralized processor with first, second, third and fourth heating means for the purpose of communicating with the heating means, wherein at least one of the first, second, third, and fourth heating means operates on a duty cycle. As discussed above with respect to claims 1 and 16, in conventional ranges, separate control systems are used to operate the oven, the warmer drawer, and/or the warmer zone features. The cited references do not contradict this knowledge. As conceded by the Examiner, US '401 does not disclose a central processor

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for controlling all heating functions. GB '647 discloses a central processor for controlling an oven heating element and a plurality of surface heating elements; however, all these heating elements operate in the same manner. Specifically, in the GB '647 patent, each of the oven heating element and the surface heating elements are controlled by determining a temperature sensed by a corresponding sensor with respect to a temperature at which a corresponding control means is set. US '808 does not make up for these aforementioned deficiencies. While, US '808 discloses a surface heating element that can operate as a warming element, there is no mention in US '808 that the warming element operates on a duty cycle. Rather, the warming element of US '808 operates in a manner similar to the other surface heating elements with the exception that the warming element has only nine power levels available rather than the eleven power levels available for the other burners. Thus, there is nothing within either US '401, GB '647, or US '808 that discloses, teaches, or suggests using a single processor to operate a plurality of heating elements in which at least one of the heating elements operates on a duty cycle, as required by claims 18 and 23. A duty cycle controls an *amount of time* the heating element(s) is on for a given cycle, rather than whether a sensed temperature differs from a predetermined temperature, as taught by GB '647. Because neither US '401 nor GB '647 nor US '808 teaches or suggests each and every limitation set forth in independent claims 18 and 23, the combination of US '401, GB '647, and US '808 cannot render obvious such claims or claims 19-22 and 24-28, which respectively depend therefrom. Withdrawal of this rejection is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

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If there are any additional fees resulting from this communication, please charge  
same to our Deposit Account No. 16-0820, our Order No. 35483US1.

Respectfully submitted,  
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